

# City of Detroit

## CITY COUNCIL

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President

Andre L. Spivey  
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Kenneth V. Cockrel Jr.  
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### REGULAR SESSION AGENDA

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TUESDAY, OCTOBER 1, 2013

#### APPROVAL OF JOURNAL OF LAST SESSION

**RECONSIDERATIONS: None.**

#### UNFINISHED BUSINESS

#### PRESIDENT'S REPORT ON STANDING COMMITTEE

#### REFERRALS AND OTHER MATTERS:

#### BUDGET, FINANCE AND AUDIT STANDING COMMITTEE

*THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE BUDGET,  
FINANCE AND AUDIT STANDING COMMITTEE:*

#### FINANCE DEPARTMENT/PURCHASING DIVISION

Submitting the following Finance Department/Purchasing Division Contracts:

1. Submitting reso. autho. **Contract No. 2832588** - 100% City Funding – Detroit Public Safety Headquarters **Amendment #3** to Encumber City Funds from the proceeds of the Sale of the Condominium Units to the State of Michigan to fund Capital Improvements including but not limited to: Water Infiltration, Plumbing, Chiller Issues, Security, Elevators and Miscellaneous Matters including Café/Sundry Shop and to extend Contract term to June 30, 2014 - Company: Detroit Building Authority, 1300 Third St., Ste. 328, Detroit, MI 48226 – Contract Period: January 24, 2014 through June 30, 2014 – Contract Increase: \$1,500,000.00 – Amount Not to Exceed; \$61,500,000.00. **FINANCE**
2. Submitting reso. autho. **Contract No. 2832588** - 100% City Funding – Detroit Public Safety Headquarters **Amendment #4** to pay the Detroit Building Authority from the City's General Fund for the payment of Operating Expenses for the Detroit Public Safety Headquarters – Company: Detroit Building Authority, 1300 Third St., Ste. 328, Detroit, MI 48226 – Contract Period: Upon City Council Approval ending June 30, 2014 – Contract Increase: \$2,000,000.00 – Amount Not to Exceed; \$63,500,000.00. **FINANCE**

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#### **AUDITOR GENERAL**

3. Submitting report relative to Transition of Health Services – Department of Health and Wellness Promotion. **(This investigation was performed in accordance with the Office of the Auditor General’s (OAG) charter mandate which includes making audits as directed by the City Council, and report findings and recommendations to the City Council and the Mayor)**
4. Submitting report relative to Emergency Manager Order No. 8 Initial 60 Day Report – July 2011 through March 2013. **(An emergency manager shall issue to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government the orders the emergency manager considers necessary to accomplish the purpose of this act.....to enable the orderly accomplishment of the financial and operation plan.)**

#### **LEGISLATIVE POLICY DIVISION**

5. Submitting report relative to Gaming Tax Revenue through July 2013. **(The attached schedules present the gaming tax revenue activity through July 2013 and prior fiscal years.)**
6. Submitting report relative to Gaming Tax Revenue through August 2013. **(The attached schedules present the gaming tax revenue activity through August 2013 and prior fiscal years.)**

#### **INTERNAL OPERATIONS STANDING COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE:***

#### **FINANCE DEPARTMENT/PURCHASING DIVISION**

Submitting the following **Finance Department/Purchasing Division Contracts:**

7. Submitting reso. autho. **Contract No. 2883153** - 100% City Funding – To Provide Compensation to cover the Cost of Automotive Repair Services for City Vehicles. Invoices dated for the period of June 1, 2012 through November 30, 2012 – Company: Bob Maxey Ford, 1833 E. Jefferson, Detroit, MI 48207 — Total Cost: \$52,376.50. Unauthorized Purchase (Confirming). **(Vendor currently is not on contract) GENERAL SERVICES**

#### **LAW DEPARTMENT**

8. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Kalyn Hunt, by her next Friend Michelle Armstrong v. Kelvin D. Gordon; Wayne County Circuit Court Case No.: 13-009379-NI; for RCPO Kelvin D. Gordon.

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9. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Laverne Thomas and Zachary Randle vs. Jimmie Dumas, City of Detroit, and State Farm Mutual Automobile Insurance Company; Wayne County Circuit Court Case No.: 13-007179-NI; for TEO Jimmie Dumas.
10. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Mario Jackson v. Lavon Howell, Dattahn Wade, Alen Ibrahimovic, and City of Detroit; Wayne County Circuit Court Case No.: 13-002331-NO; for P.O. Lavon Howell and P.O. Alen Ibrahimovic.
11. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Willie Ramsey, Jr. v. City of Detroit, James Taylor, Ernest Cleaves and John Dunlap; Wayne County Circuit Court Case No.: 13-004810; for P.O. Ernest Cleaves and P.O. James Taylor.
12. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Lewis Bell v. Derrick Dixon; United States District Court Case No.: 13-10171; for P.O. Derrick Dixon and P.O. Shaun Dunning.
13. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Rodney Heard v. Robert Kane, Patrick Hammill, Marvin Jones, and the City of Detroit; United States District Court Case No.: 13-12396; for Sgt. Marvin Jones and P.O. Robert Kane.
14. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Earl Gaines, Latoya Carrell, Joshua Harris, Precious Carrell, Ariel Gaines by and through their next friend Latoya Carrell v. City of Detroit, Joe Tucker, Brian Johnson, Juan Davis, and Tommy Bell; United States District Court Case No.: 12-15595; for P.O. Tommy Bell.

#### **DETROIT BUILDING AUTHORITY**

15. Submitting reso. autho. Finance Department, Public Safety Headquarters, Contract of Lease Amendment No. 3. **(The Detroit Building Authority requests acceptance of \$1,500,000.00 from the proceeds of sale by the DBA to the State of Michigan of two condominium units in the Detroit Public Safety Headquarters. Detroit Building Authority is also requesting to appropriate the \$1,500,000 in Appropriation 00277.)**

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## **NEIGHBORHOOD AND COMMUNITY SERVICES STANDING**

### **COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:***

#### **RECREATION DEPARTMENT**

16. Submitting reso. autho. To accept a donation of maintenance service from Revolution Flag Services to repair twenty (20) flagpoles at Hart Plaza. **(The Recreation Department is requesting to accept a donation from Revolution Flag Group valued at \$38,500.00.)**
17. Submitting reso. autho. To accept a donation of \$75,000.00 towards park improvements at Roosevelt Park from the Roosevelt Park Conservancy. **(The park improvement will be the installation and maintenance of a sand volleyball court.)**

## **PLANNING AND ECONOMIC DEVELOPMENT STANDING**

### **COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:***

#### **LAW DEPARTMENT**

18. Submitting report and Proposed Ordinance to Amend Chapter 58 of the 1984 Detroit City Code, *Vehicles for Hire*, Article III *Horse Drawn Carriage*, by amending the title of Article III *Horse Drawn Carriage*, by amending Division I, *Generally*, Sections 58-3-1, 58-3-3, 58-3-5, 58-3-6, 58-3-16, and 58-3-18, and by amending Division 2, *Business License*, Sections 58-3-33, 58-3-34, 58-3-35, and 58-3-36, and by amending Division 3, *Driver's License*, Sections 58-3-48 and 58-3-49, to provide a definition for electric carriage consistent with the Michigan Vehicle Code, to clarify that horse drawn carriage shall include an electric carriage, to allow an electric carriage to carry up to six (6) adults if the electric carriage is licensed to carry six (6) adults, and to make certain technical corrections. **(FOR INTRODUCTION OF AN ORDINANCE AND SETTING OF A PUBLIC HEARING?)**

#### **DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY**

19. Submitting report and reso. autho. **October 24, 2013 at 10:15 a.m.** public hearing regarding Monroe Block Brownfield Redevelopment Project. **(Schostak Brothers & Company, or one of its affiliates, is the project developer for the Plan that entails the cleanup and redevelopment of contaminated property into a new 16-story, 320,000 square foot office building.)**

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**PUBLIC HEALTH AND SAFETY STANDING COMMITTEE**

***THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:***

**FINANCE DEPARTMENT/PURCHASING DIVISION**

Submitting the following **Finance Department/Purchasing Division Contracts:**

20. Submitting reso. autho. **Contract No. 2881785** - REVENUE - 100% City Funding – To Provide Filming Pilot Movie, Low Winter Sun - Company: Michigan Sun Productions(AMC+ENDEMUL), 400 Monroe St., Detroit, MI 48226 – Contract Period: September 29, 2012(One Day) – Contract Amount: \$2,500.00(Revenue). **POLICE**
21. Submitting reso. autho. **Contract No. 2883995** - 100% City Funding (Street Funds) – To Provide Salt, Rock in Bulk – Company: Detroit Salt Company, LLC, 12841 Sanders, Detroit, MI 48217 – **Savings: Potential Cost Savings: \$225,810.00** – Contract Period: September 1, 2013 through August 31, 2014 – (1) Item – Unit Price Range: \$35.21/Ton – Lowest Bid – Estimated Cost: \$1,373,190.00/One (1) Year. **PUBLIC WORKS**
22. Submitting reso. autho. **Contract No. 2883694** - 100% Other Funding – To Provide Compensation for Invoices dated 9-22-2011 through 12-19-11 and 1-25-2012 through 7-31-2013 that were submitted after the previous contract had expired June 30, 2013 for the Battery Service and Equipment Maintenance – Company: Enforcement Technology, Inc. a Division of Duncan Solutions, 5924 Balfour Court, Ste. 102 Carlsbad, CA 92008 – Total Cost: \$35,154.30. (*Vendor currently is not on contract*) **MUNICIPAL PARKING**

**POLICE DEPARTMENT**

23. Submitting reso. autho. Request permission to enter into a Frequency Cancellation Agreement with Sprint Nextel. (**The Detroit Police Department is authorized to enter into a Frequency Cancellation Agreement with Sprint Nextel so the City can surrender and cancel certain older frequencies and replace them with a newer system in accordance with the Federal Communications Commission requirements.**)

**PUBLIC LIGHTING DEPARTMENT**

24. Submitting report relative to Petition of New Mount Vernon Baptist Church (#2798), request a street name change of Meadowbrook between Lisette and Freud to Mellwood C. Brown Blvd., to honor their late Pastor Emeritus. (**The Public Lighting Department RECOMMENDS approval of this petition provided that conditions are met according to the banner policy.**)

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#### **TRANSPORTATION DEPARTMENT**

25. Submitting reso. autho. Acceptance of Michigan Department of Transportation (MDOT) Revised Project 2007/0201/Z7/R3. **(This revision extends the time allowed to expend grant funds for mobility management services providing access to jobs and related employment services for low income individuals; Appropriation #10330.)**
26. Submitting reso. autho. Acceptance of Michigan Department of Transportation (MDOT) FY 2011 Section 5316 JARC Project Authorization 2007-0201/Z22/R2. **(This revision extends the time allowed by three years to expend grant funds for mobility management services providing access to jobs and related employment services for low income individuals; Appropriation #10331 and amount remains the same \$2,014,206.00.)**
27. Submitting reso. autho. Acceptance of Federal Transit Administration (FTA) MI-57-X005 and Michigan Department of Transportation (MDOT) Project Authorization 2007-0201/Z14/R2. **(This revision extends the time allowed to expend grant funds for mobility management services providing access to jobs and related employment services for low income individuals; Appropriation #10330.)**
28. Submitting reso. autho. Acceptance of Michigan Department of Transportation (MDOT) FY 2011 Section 5310 Project Authorization 2007-0201/Z26 #3. **(This grant contract provides funding to purchase demand-response vehicles for the Detroit Mobility 1<sup>st</sup> (DM1) program; Appropriation #10331.)**

#### **VOTING ACTION MATTERS**

#### **OTHER MATTERS**

#### **COMMUNICATIONS FROM MAYOR AND OTHER GOVERNMENTAL OFFICIALS AND AGENCIES**

#### **PUBLIC COMMENT**

#### **STANDING COMMITTEE REPORTS**

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## **INTERNAL OPERATIONS STANDING COMMITTEE**

### **FINANCE DEPARTMENT/PURCHASING DIVISION**

29. **Cockrel, Jr.,** reso. autho. **Contract No. 2878604** - 100% City Funding – To Provide a Real Estate Advisor – Company: CBRE, Inc., 400 Renaissance Center, Ste. 2500, Detroit, MI 48243 – Contract Period: May 1, 2013 through November 30, 2013 – Contract Amount Not to Exceed: \$0.00. *(Strategic Planning and Market Survey Services pursuant to this Agreement will be provided without Charge. The City shall not be responsible for the CONTRACTOR'S Compensation Associated with Lease Negotiations and Renewals)* **GENERAL SERVICES**
30. **Cockrel, Jr.,** reso. autho. **Contract No. 2659669** - 100% City Funding – Change Order No. #3 - To Provide Electronic Legal Research – Company: LexisNexis, 9443 Springboro Pike, Miamisburg, OH 45342 - Contract Period: July 1, 2004 through June 30, 2015 – Contract Increase: \$496,656.00 - Contract Amount Not to Exceed: \$2,659,584.00. *(This request is to add money to the current contract to assist department with Real Estate transactions.)* **LAW**

### **BOARD OF ZONING APPEALS**

31. **Cockrel, Jr.,** reso. autho. Reappointment of Antonette “Toni” McIlwain to the Board of Zoning Appeals, as a representative of District 4, for a term of three (3) years beginning January 1, 2014 and expiring December 31, 2016.

### **RESOLUTIONS**

32. **Cockrel, Jr.,** reso. autho. Appointment of Mr. Robert L. Page, Jr. to the Board of Ethics, term ending on June 30, 2015.
33. **Cockrel, Jr.,** reso. autho. Setting of Public Hearing to Move City Elections to the Even Election Year, Commencing 2018.

## **PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE**

### **HISTORIC DESIGNATION ADVISORY BOARD**

34. **Tate,** a Proposed Ordinance to amend Chapter 25, Article II, of the 1984 Detroit City Code by adding Section 25-2-192 to establish the Masjid Wali Muhammad/Temple No. 1 Historic District, and to define the elements of design for the district. **(Petition #647) INTRODUCE**
35. **Tate,** reso. autho. setting **Thursday, October 10, 2013 at 10:20 a.m.** Public Hearing on foregoing ordinance amendment.

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# **PLANNING AND DEVELOPMENT DEPARTMENT**

36. **Tate**, reso. autho. Brush Park Urban Renewal District – Development: 244 Adelaide.
37. **Tate**, reso. autho. Brush Park Urban Renewal District – Development: 92 Alfred St.
38. **Tate**, reso. autho. Correction of Legal Description and Approval of the Emergency Manager for the City of Detroit: 14460 East 7 Mile Road-AKA Kerchcke Park. **(The legal description needed to be corrected and the corrected legal description is attached.)**
39. **Tate**, reso. autho. **Request for Public Hearing** regarding the Approval of an Industrial Facilities Exemption Certificate on behalf of VernDale Products, Inc., in accordance with Public Act 198 of 1974 for Estimated Personal Property Investment. **(Petition #2933). (Based on discussions with company representatives and examination of the submitted application, the Planning and Development is convinced this company meets the criteria for tax relief as set forth by Public Act 198 of 1974.)**

## **PUBLIC HEALTH AND SAFETY STANDING COMMITTEE**

### **FINANCE DEPARTMENT/PURCHASING DIVISION**

40. **Jones**, reso. autho. **Contract No. 2876243** - 65% Federal Funding, 35% City-Street Funding – To Provide Construction Engineering & Inspection (CE&I) Services for Seven (7) MDOT Projects 2013 - Company: HNTB Michigan, Inc., 535 Griswold, Ste 1100, Detroit, MI 48226-3605 – Contract Period: Upon City Council Approval through December 31, 2016 – Contract Amount Not to Exceed: \$1,571,306.34. **PUBLIC WORKS (PULLED FROM THE FORMAL SESSION ON 09-24-13 AND DIRECTED TO POSTPONE UNTIL 10-01-13)**
41. **Jones**, reso. autho. **Contract No. 2881025** - 53% Federal Funding, 20% City-Street Funding, 27% Other Funding: – To Provide CE&I Services for (8) MDOT Projects, Plan Review of Streetcar Elements for the M-1 Rail Streetcar Project and Quality Assurance (QA) for CE&I Services for the M-1 Rail Streetcar Project - Company: Parsons Brinckerhoff Michigan, Inc., 500 Griswold, Ste. 2900, Detroit, MI 48226-5001 – Contract Period: Upon City Council Approval through December 31, 2017 – Contract Amount Not to Exceed: \$2,205,236.44. **PUBLIC WORKS (PULLED FROM THE FORMAL SESSION ON 09-24-13 AND DIRECTED TO POSTPONE UNTIL 10-01-13)**
42. **Jones**, reso. autho. **Contract No. 2850060** - 100% City Funding – To Provide an Extension of Contract for Waste Removal and Disposal Services for an additional One Hundred and Eighty days (180) to allow for Processing of a New Contract – Company: Birk’s Works Environmental, LLC, 19719 Mt. Elliott, Detroit, MI



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48234 – Contract Period: September 15, 2013 through March 15, 2014 – Total Amount: \$60,000.00. **TRANSPORTATION (PULLED FROM THE FORMAL SESSION ON 09-24-13 AND DIRECTED TO POSTPONE UNTIL 10-01-13)**

**TRANSPORTATION DEPARTMENT**

43. **Jones, reso. autho. Acceptance of Federal Transit Administration (FTA) MI-04-0070 and Michigan Department of Transportation (MDOT) Project Authorization 2012-0072/PA/R1. (The purpose of revision 1 is to reduce state funding by \$1,629,573. The federal funding allocated to this project was reduced and therefore the state match provided will be reduced.)**
44. **Jones, reso. autho. Michigan Department of Transportation (MDOT) Revised Project Authorization 2007-0201/Z9/R4. (The purpose of revision 4 is to renew the authorization and extend the authorization term by approximately 21 months to allow DDOT sufficient time to complete the projects.)**
45. **Jones, reso. autho. Acceptance of Section 5307 Federal Transit Administration Capital Grant Award MI-90-X604 and Michigan Department of Transportation (MDOT) Project Authorization 2007-0201/Z21/R1. (The purpose of revision 1 is to renew the authorization and extend the authorization term by approximately 19 months to allow DDOT sufficient time to complete the project.)**
46. **Jones, reso. autho. Acceptance of Federal Transit Administration (FTA) MI-04-0093 and Michigan Department of Transportation (MDOT) Project Authorization 2012-0072/P8. (These grants will provide additional funding needed to overhaul (149) buses, Repair the Coolidge facility, purchase mobile surveillance/security equipment and ADP software.)**
47. **Jones, reso. autho. Acceptance of Federal Transit Administration (FTA) MI-90-X642 and Michigan Department of Transportation (MDOT) Project Authorization 2007-0201/Z28/R1. (The purpose of revision 1 is to reduce state funding by \$1,875,000). The federal funding allocated to this project was reduced and therefore the state match provided will be reduced.)**
48. **Jones, reso. autho. Acceptance of FY 2008-12 Federal Transit Administration (FTA) MI-37-X041 and Michigan Department of Transportation (MDOT) Project Authorization 2007-0201/Z25/R2. (This revision 2 is to add Federal, State matching funds and extend the authorization term by one year to allow DDOT sufficient time to complete the project. These contracts will fund programs that provide access to jobs and related employment services for low income individuals.)**

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## **RESOLUTIONS**

49. **Jones**, reso. autho. New International Trade Crossing. **(The resolution recommends the installation of bicycle lanes on the new bridge.)**

## **NEW BUSINESS**

## **CONSENT AGENDA**

## **MEMBER REPORTS**

## **ADOPTION WITHOUT COMMITTEE REFERENCE**

## **COMMUNICATIONS FROM THE CLERK**

50. Report on approved proceedings from the Emergency Manager.
51. Report on approval of proceedings by the Mayor

## **TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE**

52. **Cockrel, Jr.**, Testimonial Resolution in Memoriam for Harry M. Philo October 24, 1924 – May 28, 2012.
53. **Jones**, Testimonial Resolution for Parents of Murdered Children Day of Remembrance.
54. **Watson**, Testimonial Resolution for Judge Paula G. Humphries, retirement celebration of 26 years of service.
55. **Watson**, Testimonial Resolution for The Jazz Network Foundation.